

WYLIE M. STECKLOW

WWW.LAWYERSFORTHERESTOFUS.COM

STECKLOW & THOMPSON

217 CENTRE ST. FL. 6
NEW YORK, NY 10013
T(212) 566-8000
F(888) 566-7999
WYLIE@SCTLAW.COM

September 22, 2017

VIA ECF

Hon. Judge Ronald Ellis
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *George Packard, et al., v. City of New York*, No. 1:15-cv-7130-AT (RLE)

Dear Judge Ellis:

Pursuant to the most recent discovery conference before your Honor, the parties are jointly submitting an unsealing order. The parties have agreed on all parts of this unsealing order except the first Whereas clause.

The plaintiffs have proposed using this language for this initial Whereas clause:

WHEREAS, documents pertaining to the investigation, arrest and prosecution of potential class members to the above captioned litigation (defined as individuals arrested on September 15, 16, 17 in and around the Occupy Wall Street one-year anniversary actions), are relevant to this action;

While the defense has suggested this language:

WHEREAS, plaintiffs have sought documents pertaining to the investigation, arrest and prosecution of potential class members in connection with the purported events alleged in the complaint filed in the above captioned litigation;

In the attached order, in a showing of good faith, the undersigned submits the order in the version suggested by the defense, but with the parties having the shared knowledge that this Court could use either the plaintiffs' or the defense proposed language, or even distinct language as this court deems appropriate.

Respectfully submitted,

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Wylie M. Stecklow

cc: All parties via ECF